

## **REMARKS**

Reconsideration and reversal of the rejections presented in the Office Action dated July 20, 2006 are respectfully requested in light of the following.

The present application includes claims 1-28, 30 and 31. With this amendment, applicants have amended claims 1, 12, and 28, and have canceled claim 29.

In the aforementioned Office Action, the Examiner rejected claims 1-4, 7-11, 18, 22, and 24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,997,103 to Buchanan (hereinafter "Buchanan").

Buchanan discloses a screen 1 for installation within a motor car 2 having a window opening 3 provided with a glass panel 4 which slides between felt strips 5 mounted by means of mouldings 6 in car body members 7. The screen 1 is installed on the inside of the window opening 3 by means of a plurality of clips 11. Each clip 11 has a leg 13 which is arranged to be inserted between the moulding 6 and felt strip 5 on the inside the window opening 3.

Amended claim 1 recites a window barrier coupled to a vehicle door supported within a door frame comprising, *inter alia*, a first securing member releasably securing an upper frame member to the door, and a second securing member releasably securing a lower frame member to the door. Amended claim 1 now further recites that a portion of at least one of the upper frame member and the first securing member is positioned intermediate the door frame and the door, such that movement of the upper frame member in a first direction is prevented by the door frame and movement of the upper frame member in a second direction opposite the first direction is prevented by the door. Similarly, claim 18 recites a window barrier coupled to a vehicle door supported within a door frame, including, *inter alia*, a barrier frame including upper and lower ends, an upper securing member coupled to the barrier frame proximate the upper end and including a portion received intermediate the door frame and the door, wherein movement of the upper end of the barrier frame in a first direction is prevented by the door frame and movement of the upper end of the barrier frame in a second direction opposite the first direction is prevented by the door.

Buchanan fails to provide any disclosure of either an upper frame member or a securing member positioned intermediate the door frame and the door, much less preventing

movement of the frame by such positioning. For at least these reasons, it is respectfully submitted that claims 1 and 18, and the claims dependent therefrom, are in condition for allowance.

Claims 25-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,204,981 to Edwards (hereinafter "Edwards").

Edwards discloses a removable window guard including a main body portion 1 having an upper horizontal section 2 which carries a pair of projections in the form of lugs 6 which are Z-shaped to provide an upper horizontal flange 7, an upright flange 8, and a lower horizontal flange 9 fixed to the horizontal section 2 of the body portion 1.

Claim 25 recites, *inter alia*, a window barrier configured to be coupled to a vehicle door supported within a door frame and including an upper frame member, and a clip configured to releasably secure the upper frame member to the door. The clip is recited as having a connector and first and second arms extending upwardly from the connector, the first arm being coupled to the upper frame member and the second arm being positioned in spaced relation to the first arm and the window channel and configured to operably couple with the door trim.

Edwards fails to disclose a clip including first and second arms extending upwardly from a connector. For at least this reason, it is respectfully submitted that claim 25, and the claims dependent therefrom, are in condition for allowance.

Claims 12-17, and 28-31 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,653,562 to Moss et al. (hereinafter "Moss et al.").

Moss et al. discloses an open air wire screen structure or safety guard including attachment rails 18 and 22 designed for temporary and reusable placement in the window channels of motor vehicles. The top rail 18 has a double channel 19-20 and an upright fin 21 above the double channel 19-20. The bottom rail 22 has a double channel 23-24 and a single channel 26 below the double channel 23-24 (Figs. 9 and 10). The safety guard is attached to an existing vehicle window channel in such a manner that single channel 26 of the bottom rail 22 is placed onto the upper edge of the open window glass, and the upright fin 21 of the top rail 18 is positioned to insert into the upper window channel. Moving the window glass slightly upward secures the upright fin 21 into the upper window channel (Col. 3, lines 50-57).

Amended claim 12 recites, *inter alia*, a window barrier configured to be supported by a vehicle door including an interior surface and a window panel, the window barrier including an upper frame member and a lower frame member. The lower frame includes a panel rest portion and a retaining flange, and a connecting portion connecting the panel rest portion and the retaining flange. Claim 12 now further recites that the panel rest portion extends inwardly and downwardly from the connecting portion, and that the retaining flange extends downwardly from the connecting portion. The panel rest portion is configured to rest against the interior surface of the vehicle door, and the retaining flange is configured to be received within a slot formed within the door intermediate the interior surface and the window panel.

It is respectfully submitted that Moss et al. does not disclose a panel rest portion which extends inwardly and downwardly from a connecting portion and is configured to rest against the interior surface of a vehicle door. It is respectfully submitted that the flanges of the channel 26 do not meet these limitations as they do not extend both inwardly and downwardly from a connecting portion and are not configured to rest against an interior surface of the vehicle door. The flanges are configured to receive a window panel and do not provide structure that could rest on an interior surface of the vehicle door.

For at least these reasons, it is respectfully submitted that claim 12, and the claims dependent therefrom, are in condition for allowance.

Amended claim 28 recites, *inter alia*, a window barrier configured to be coupled to a vehicle door supported within a door frame, the vehicle door including a window panel supported within a window channel, the window barrier including a barrier frame, and an upper clip coupled to the barrier frame proximate the upper end. The upper clip includes a connector connecting a first arm and a second arm, wherein the connector is configured to be received intermediate the door frame and the door such that the movement of the upper end of the barrier frame in a first direction is prevented by the door frame and movement of the upper end of the barrier frame in a second direction opposite the first direction is prevented by the door.

It is respectfully submitted that Moss et al. provides no disclosure of a connector of an upper clip configured to be received intermediate the door frame and the door. Moreover, Moss et al. provides no disclosure of such a connector of an upper clip positioned such that

movement of the upper end of the barrier frame in a first direction is prevented by the door frame and movement of the upper end of the barrier frame in a second direction opposite the first direction is prevented by the door.

For at least the foregoing reasons, it is respectfully submitted that claim 28, and the claims dependent therefrom, are in condition for allowance.

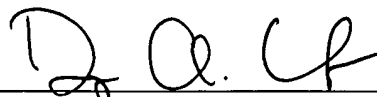
Applicants gratefully acknowledge the Examiner's indication that claims 5, 6, 19, 20, 21, and 23 include allowable subject matter.

For at least the foregoing reasons, it is respectfully submitted that all of the solicited claims are in condition for allowance. Such action is respectfully requested.

If necessary, applicants request that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this amendment be charged to the account of Baker & Daniels, Deposit Account No. 02-0390.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comment arise during reconsideration of this matter.

Respectfully submitted,



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